

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

TIMOTHY B. BOSTIC AND  
TONY C. LONDON

*Plaintiff(s)*

v.

ROBERT F. MCDONNELL,  
KENNETH T. CUCINELLI  
GEORGE E. SCHEAFER, III

*Defendant(s)*

ORIGINAL

Civil Action No. 2:13cv395

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* GOVERNOR ROBERT F. MCDONNELL  
OFFICE OF THE GOVERNOR  
PATRICK HENRY BUILDING, THIRD FLOOR  
1111 EAST BROAD STREET  
RICHMOND, VA 23219

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: THOMAS B. SHUTTLEWORTH, CHARLES B. LUSTIG  
SHUTTLEWORTH, RULOFF, ET. AL.  
4525 SOUTH BLVD., STE. 300  
VIRGINIA BEACH, VA 23452

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 7/22/13

CLERK OF COURT

Signature of Clerk or Deputy Clerk

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Civil Action No. 2:13cv395

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Governor Robert F. McDonnell  
was received by me on (date) 7-26-13.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
\_\_\_\_\_ on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Matt Conrod, who is  
designated by law to accept service of process on behalf of (name of organization) Governor  
of Virginia on (date) 7-29-13; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 7-29-13

\_\_\_\_\_  
Server's signature

EC Tutwiler, PPS  
Printed name and title

\_\_\_\_\_  
Server's address

Additional information regarding attempted service, etc:

**The Marston Agency, Inc.**

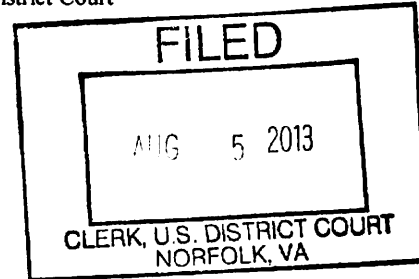
11535 Nuckols Road, Suite A  
 Glen Allen, VA 23059  
 (800) 308-7790 - (804) 967-9300 (Richmond)

07/25/13

**RETURN ON SERVICE**

**Plaintiff:** Timothy B Bostic, et al  
**Defendant:** Robert f McDonnell, et al  
**Serve:** Governor Robert F McDonnell  
 1111 East Broad St  
 Patrick Henry Bldg, 3rd Fl  
 Richmond, VA 23219  
**Contact:** Thomas B. Shuttleworth  
 4525 South Boulevard  
 Suite 300  
 Virginia Beach, VA 23452

**Court:** United States District Court  
**Case:** 2:13cv395  
**Return Date:**  
**Time:**  
**Phone:** 7576716000

**Type(s) of Writ(s)**

paper:1581192

Summons in a Civil Action

Complaint

Witness/Defendant Governor Robert F McDonnell was served according to law, as indicated below:

- ( ) **PERSONAL** By delivering a copy of the above described process in writing to him/her in person.  
 ( ) **SUBSTITUTE** Being unable to make personal service and not finding the above mentioned person at his/her usual place of abode by delivering a copy of the said process and giving information of it's purport at his usual place of abode to \_\_\_\_\_ who is a member of his/her family and is the \_\_\_\_\_ of the above mentioned person, other than a temporary sojourner or guest, and who is the age of 16 years or older.  
 ( ) **POSTED** Being unable to make a personal service and not finding the above mentioned person at his/her usual place of abode nor any member of his/her family the age of 16 years or older at said abode by posting a copy of such process at the front door or at such other door as appears to be the main entrance of such place of abode.  
 (X) **BUSINESS** At usual place of business or employment during business hours, by delivering the above specified paper(s) and giving information of it's purport to the person found there in charge of such business or place of employment.  
 ( ) Copy mailed to judgement debtor on the date below after serving the garnishee unless a different date is shown below.  
 ( ) Certified Mail  
 ( ) Not Found  
 ( ) Served on Secretary of the Commonwealth

I, RL Tutwiler hereby certify under penalty of perjury that I am over the age of 18 and not a party or otherwise interested in the subject matter in controversy.

Served Date: 7-29-13Served Time: 11:15

Signature of Process Server

**Notary**State of: VirginiaCounty/City of: Henrico, VA Beach, Prince William, Rockingham.

I, the undersigned, a Notary Public in and for the above-mentioned jurisdiction, hereby certify that before me appeared the Process Server, who, under oath, stated that service was made as stated above. Sworn before me this 30 day of Jul/Aug 2013

Notary Public: [Signature]

Type of Service: A    Auth Attempts: 1    Order: 312914    1 Day Rush: No    2 Day Rush: No  
 Attempts    -1-    -2-    -3-    -4-    -5-    -6-

Date:						
Time:						
Server:						

REMARKS -

Matt Conrad, Staff Deputy



AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

ORIGINAL

TIMOTHY B. BOSTIC AND  
TONY C. LONDON

\_\_\_\_\_  
*Plaintiff(s)*

v.

ROBERT F. MCDONNELL,  
KENNETH T. CUCINELLI  
GEORGE E. SCHEAFER, III

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 2:13cv395

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* ATTORNEY GENERAL KENNETH T. CUCINELLI  
OFFICE OF THE ATTORNEY GENERAL  
900 EAST MAIN STREET  
RICHMOND, VA 23219

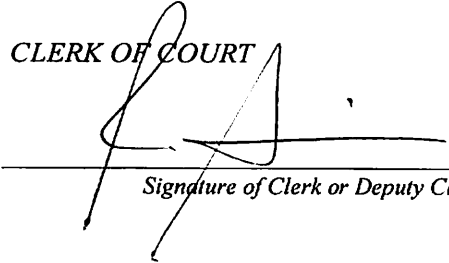
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: THOMAS B. SHUTTLEWORTH, CHARLES B. LUSTIG  
SHUTTLEWORTH, RULOFF, ET. AL.  
4525 SOUTH BLVD., STE. 300  
VIRGINIA BEACH, VA 23452

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 7/22/13

CLERK OF COURT

  
\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

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Civil Action No. 2:13 CV 395**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Robert Luccinelli, Attorney General  
 was received by me on (date) 7-26-13.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
 \_\_\_\_\_ on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Thomas Kagey, who is  
 designated by law to accept service of process on behalf of (name of organization) Attorney  
General of Virginia on (date) 7-29-13; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 7-29-13

\_\_\_\_\_  
 Server's signature

EL Tutwiler, PPS  
 Printed name and title

\_\_\_\_\_  
 Server's address

Additional information regarding attempted service, etc:

**The Marston Agency, Inc.**

11535 Nuckols Road, Suite A

Glen Allen, VA 23059

(800) 308-7790 - (804) 967-9300 (Richmond)

07/25/13

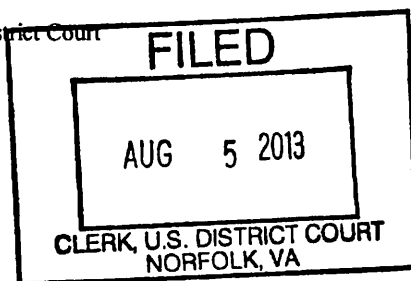
**RETURN ON SERVICE**

**Plaintiff:** Timothy B Bostic, et al  
**Defendant:** Robert f McDonnell, et al  
**Serve:** Attorney General Kenneth T Cucinelli  
 900 East Main St

**Court:** United States District Court  
**Case:** 2:13cv395  
**Return Date:**  
**Time:**

**Contact:** Richmond, VA 23219  
 Thomas B. Shuttleworth  
 4525 South Boulevard  
 Suite 300  
 Virginia Beach, VA 23452

**Phone:** 7576716000

**Type(s) of Writ(s)**

paper:1581190

Summons in a Civil Action

Complaint

Witness/Defendant Attorney General Kenneth T Cucinelli was served according to law, as indicated below:

( ) **PERSONAL** By delivering a copy of the above described process in writing to him/her in person.( ) **SUBSTITUTE** Being unable to make personal service and not finding the above mentioned person at his/her usual place of abode by delivering a copy of the said process and giving information of it's purport at his usual place of abode to \_\_\_\_\_ who is a member of his/her family and is the \_\_\_\_\_ of the above mentioned person, other than a temporary sojourner or guest, and who is the age of 16 years or older.( ) **POSTED** Being unable to make a personal service and not finding the above mentioned person at his/her usual place of abode nor any member of his/her family the age of 16 years or older at said abode by posting a copy of such process at the front door or at such other door as appears to be the main entrance of such place of abode.( ) **BUSINESS** At usual place of business or employment during business hours, by delivering the above specified paper(s) and giving information of it's purport to the person found there in charge of such business or place of employment.

( ) Copy mailed to judgement debtor on the date below after serving the garnishee unless a different date is shown below.

( ) Certified Mail

( ) Not Found

( ) Served on Secretary of the Commonwealth

I, ECTUW, her hereby certify under penalty of perjury that I am over the age of 18 and not a party or otherwise interested in the subject matter in controversy.Served Date: 7-29-13Served Time: 11:32

Signature of Process Server

Notary

State of: Virginia

(County/City of:

Henrico, VA Beach, Prince William, Rockingham.

I, the undersigned, a Notary Public in and for the above-mentioned jurisdiction, hereby certify that before me appeared the Process Server, who, under oath, stated that service was made as stated above. Sworn before me this 30 day of Jul/Aug 20 13Notary Public: A

Type of Service: A    Auth Attempts: 1    Order: 312914    1 Day Rush: No    2 Day Rush: No  
 Attempts    -1-    -2-    -3-    -4-    -5-    -6-

Date:						
Time:						
Server:						

REMARKS -

Tommy Kagey, Paralegal